

1 DAVID L. ANDERSON (CABN 149604)  
United States Attorney

2 HALLIE HOFFMAN (CABN 210020)  
3 Chief, Criminal Division

4 ALEXANDRA SHEPARD (CABN 205143)  
Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055  
6 San Francisco, California 94102-3495  
7 Telephone: (415) 436-6767  
8 FAX: (415) 436-7234  
alexandra.shepard@usdoj.gov

9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,	)	CASE NO. 3: 20-MJ-71726 MAG
	)	
14 Plaintiff,	)	STIPULATION AND <del>PROPOSED</del> ORDER
	)	EXCLUDING RULE 5 AND SPEEDY TRIAL
15 v.	)	TIME FROM DECEMBER 14, 2020 TO
	)	FEBRUARY 1, 2021
16 GAGE PASCOE,	)	
	)	
17 Defendant.	)	
	)	
	)	
	)	

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20 The parties, through their counsel of record, stipulate as follows:

21 On December 14 and 22, 2020, the Court held a detention hearing for Gage Pascoe, who stands  
22 charged by Complaint with distribution of narcotics resulting in death or great bodily injury, in violation  
23 of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C). On December 22, 2020, the Court set  
24 the next appearance in the case for February 1, 2021.  
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27  
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STIPULATION AND [PROPOSED] ORDER

1 The parties are currently discussing a resolution to this case. The government has produced a  
2 significant amount of discovery in this case, and plans to produce more discovery in the near future.

3 Therefore, the parties hereby stipulate and agree:

- 4
- 5 1. The time between December 14, 2020 and February 1, 2021, should be excluded under the  
6 Speedy Trial Act because failure to grant the requested continuance would deny defense  
7 counsel the reasonable time necessary for effective preparation, taking into account the  
8 exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The ends of justice served by  
9 granting the requested continuance outweigh the best interests of the public and the  
10 defendant in a speedy trial and in the prompt disposition of criminal cases. *See id.* §  
11 3161(h)(7)(A).
  - 12 2. Taking into account the public interest in the prompt disposition of criminal cases, there is  
13 good cause to extend the time limits under Federal Rule of Criminal Procedure 5.1(c).  
14 Accordingly, the time limits for conducting a preliminary hearing are tolled from December  
15 14, 2020, until February 1, 2021.

16 IT IS SO STIPULATED.

17 Dated: December 22, 2020

18 /s/  
Elisse Larouche  
Attorney for Defendant Gage Pascoe

19  
20 Dated: December 22, 2020

21 /s/  
Alexandra Shepard  
Assistant United States Attorney

**[~~PROPOSED~~] ORDER**

Based upon the representation of counsel and for good cause shown, the Court finds that failing to exclude the time between December 14, 2020 and February 1, 2021, would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time between December 14, 2020 and February 1, 2021 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. The Court also finds good cause for extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 and for extending the 30-day time period for an indictment under the Speedy Trial Act (based on the exclusions set forth above). *See* Fed. R. Crim. P. 5.1; 18 U.S.C. § 3161(b).

Therefore, IT IS HEREBY ORDERED that the time between December 14, 2020 and February 1, 2021 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) and Federal Rule of Criminal Procedure 5.1.

DATED: December 23, 2020



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HONORABLE LAUREL BEELER  
United States Magistrate Judge